

  
**ORIGINAL**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TRANSHORN, LTD., On Behalf of Itself and All  
Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

1775 HOUSING ASSOCIATES, On Behalf of  
Itself and All Other Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP..

Defendants.

(Additional Case Captions are on Following Pages)

Civil Action No. 04 CV 01178 (TPG)  
(e-filed)

**NOTICE OF MOTION FOR  
ADMISSION PRO HAC VICE**

Civil Action No. 04 CV 02785 (MGC)

TRIANGLE HOUSING ASSOCIATES, L.P., On Behalf of Itself and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

ROCHDALE VILLAGE, INC., On Behalf of Itself and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

(Additional Case Captions are on Following Page)

Civil Action No. 04 CV 02786 (RO)

Civil Action No. 04 CV 03225 (MGC)  
(e-filed)

BIRMINGHAM BUILDING TRADES TOWERS,  
INC., On Behalf of Itself and All Others Similarly  
Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

RIVERBAY CORPORATION, On Behalf of Itself  
and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

Civil Action No. 04 CV 03229 (TPG)  
(e-filed)

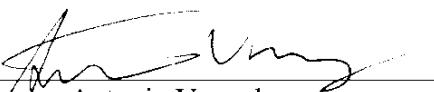
Civil Action No. 04 CV 03308 (TPG)

Upon the annexed declaration of Antonio Vozzolo, executed this 12<sup>th</sup> day of May, 2004,  
plaintiff Birmingham Building Trades Tower, Inc. and all others similarly situated move,  
pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Joe R. Whatley, Jr. and Glen  
M. Connor, who are members of the bar of the United States District Court of the Northern  
District of Alabama and who are either partners or associates of Whatley Drake, LLC, be  
admitted pro hac vice for all purposes on behalf of plaintiff in this action

Dated: May 12, 2004

FARUQI & FARUQI, LLP

By:



Antonio Vozzolo

Nadeem Faruqi (NF-1184)  
Antonio Vozzolo (AV-8773)  
Beth A. Keller (BK-9421)  
320 East 39th Street  
New York, New York 10016  
(212) 983-9330 (Telephone)  
(212) 983-9331 (Facsimile)

Attorney for Plaintiffs and the Class

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TRANSHORN, LTD., On Behalf of Itself and All  
Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

1775 HOUSING ASSOCIATES, On Behalf of  
Itself and All Other Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

(Additional Case Captions are on Following Pages)

Civil Action No. 04 CV 01178 (TPG)  
(e-filed)

**DECLARATION OF ANTONIO  
VOZZOLO**

Civil Action No. 04 CV 02785 (MGC)

TRIANGLE HOUSING ASSOCIATES, L.P., On Behalf of Itself and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

Civil Action No. 04 CV 02786 (RO)

ROCHDALE VILLAGE, INC., On Behalf of Itself and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

Civil Action No. 04 CV 03225 (MGC)  
(e-filed)

(Additional Case Captions are on Following Page)

BIRMINGHAM BUILDING TRADES TOWERS,  
INC., On Behalf of Itself and All Others Similarly  
Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

RIVERBAY CORPORATION, On Behalf of Itself  
and All Others Similarly Situated,

Plaintiff,

-vs.-

UNITED TECHNOLOGIES CORPORATION,  
OTIS ELEVATOR, CO., KONE  
CORPORATION, KONE INC., SCHINDLER  
HOLDING LTD., SCHINDLER ELEVATOR  
CORPORATION, THYSSENKRUPP AG and  
THYSSEN ELEVATOR CAPITAL CORP.,

Defendants.

Civil Action No. 04 CV 03229 (TPG)  
(e-filed)

Civil Action No. 04 CV 03308 (TPG)

Antonio Vozzolo, declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member in good standing of the bar of this Court and a partner at Faruqi & Faruqi, LLP. I make this declaration in support of the motion by plaintiff Birmingham Building Trades Tower, Inc. and all others similarly situated, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Joe R. Whatley, Jr. and Glen M. Connor be admitted pro hac vice for all purposes on behalf of plaintiff in this action.

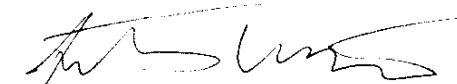
2. Joe R. Whatley, Jr. and Glen M. Connor are fully familiar with this action.

3. Joe R. Whatley, Jr. And Glen M. Connor are members in good standing of the bar of the United States District Court for the Northern District of Alabama as evidenced by the annexed certificates.

4. I respectfully request that plaintiffs' motion be granted in all respects. A proposed order is enclosed herewith

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: May 12, 2004



Antonio Vozzolo (AV-8773)

FARUQI & FARUQI, LLP  
320 East 39th Street  
New York, New York 10016  
(212) 983-9330 (Telephone)  
(212) 983-9331 (Facsimile)

**UNITED STATES DISTRICT COURT**

Northern District of Alabama  
Office of the Clerk  
Room 140, 1729 5th Avenue North  
Birmingham, Alabama 35203  
(205) 278-1700

Perry Mathis  
Clerk

Sharon Harris  
Chief Deputy Clerk

**CERTIFICATE OF GOOD STANDING**

I, **Perry D. Mathis**, Clerk of the United States District Court, Northern District of Alabama,

**DO HEREBY CERTIFY** that **GLEN M. CONNOR** was duly admitted to practice in said Court on **January 4, 1985**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on May 6, 2004.

PERRY D. MATHIS, CLERK

By: Shirley Brown  
Deputy Clerk

**UNITED STATES DISTRICT COURT**

Northern District of Alabama  
Office of the Clerk  
Room 140, 1729 5th Avenue North  
Birmingham, Alabama 35203  
(205) 278-1700

Perry Mathis  
Clerk

Sharon Harris  
Chief Deputy Clerk

**CERTIFICATE OF GOOD STANDING**

I, **Perry D. Mathis**, Clerk of the United States District Court, Northern District of Alabama,

**DO HEREBY CERTIFY** that **Joe R. Whatley, Jr.** was duly admitted to practice in said Court on **July 30, 1979**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on May 6, 2004.

PERRY D. MATHIS, CLERK

By: Shirley Brown  
Deputy Clerk

**AFFIDAVIT OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of May, 2004, I caused true and correct copies of the within Notice of Motion For Admission Pro Hac Vice, Declaration of Antonio Vozzolo and [Proposed] Order Granting Admission Pro Hac Vice to be served upon the parties indicated on the attached service list by depositing the same, enclosed in properly addressed postage paid envelopes, in an official depository maintained by the United States Postal Service in the State of New York.

*Beth A. Keller*  
Beth A. Keller (BK-9421)  
FARUQI & FARUQI, LLP  
320 East 39th Street  
New York, New York 10016  
(212) 983-9330 (Telephone)  
(212) 983-9331 (Facsimile)

**SERVICE LIST**

LAW OFFICES OF CURTIS V. TRINKO, LLP  
16 West 46<sup>th</sup> Street, Seventh Floor  
New York, New York 10036  
(212) 490-9550

-and-

MILBERG WEISS BERSHAD HYNES  
& LERACH LLP  
401 B Street, Suite 1700  
San Diego, CA 92101  
(619) 231-1058

*Attorneys for Plaintiff in Transhorn, Ltd. v. United Technologies Corp., et al.,  
S.D.N.Y. No. 04 CV 01178 (TPG)*

Patricia M. McDermott  
CLEARY GOTTLIEB STEEN & HAMILTON  
2000 Pennsylvania Avenue, N.W., Suite 9000  
Washington, D.C. 20006-1801  
(202) 974-1500  
*Attorneys for Defendant Otis Elevator Co.*

UNITED TECHNOLOGIES CORPORATION  
United Technologies Building  
Hartford, Connecticut 06101  
Attn: Legal Dept.  
*Defendant*

KONE INC.  
1 Kone CT  
Moline, Illinois 61265  
Attn: Legal Dept.  
*Defendant*

SCHINDLER HOLDING LTD.  
Seestrasse 55  
CH-6052 Hergiswil, Nidwalden, Switzerland  
41-41-632-85-50  
Attn: Legal Dept.  
*Defendant*

SCHINDLER ELEVATOR CORPORATION  
20 Whippny Rd.

Morristown, New Jersey 07960  
Attn: Legal Dept.  
*Defendant*

THYSSENKRUPP AG  
August-Thyssen-Strabe 1  
40211 Dusseldorf, Germany  
Attn: Legal Department  
*Defendant*

THYSSENKRUPP ELEVATOR CORPORATION  
1995 North Park Place Suite 370  
Atlanta, Georgia 30339-2072  
Attn: Legal Dept.  
*Defendant*